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681 There are, further, various sanctions by which non-fulfilment or the breach of any recognized custom is penalized, and which thus also serve as another and more direct means of securing conformance with the pattern of social life. In this category we may place ritual sanctions, where any departure from a prescribed rule of conduct is followed automatically by evil results, without any direct interference on the [784] part of the community. The breaking of a taboo, for instance, is held to produce serious consequences, such as death or disease or ill-luck in the chase. Thus among the Cape Bushmen, as we have seen, girls who do not observe the restrictions imposed upon them at the time of puberty are believed to change into frogs, while men who are seen by the girls at this time become permanently fixed in whatever position they then occupy, and so on. And again there are the [224] numerous observances and avoidances associated with hunting, which if neglected will result in ill-success, the loss of a wounded animal, etc. All sanctions of this sort—and in the preceding pages we have had occasion to notice a good many of them—may be regarded as legal mechanisms, in the sense that they operate to maintain the observance of accepted usages and customs.

627 Other breaches of custom, however, involve the direct intervention of the members of the community. In general, when disputes arise [578] between the members of the band—among the Naron they are said [692] to be infrequent—there is no appeal to any supreme authority, for, as we have just noted, there is no such authority, nor are cases of wrongdoing or quarrels referred to the chiefs where these exist. The only remedy is self-help. But in so far as self-help is the recognized mode of reaction, it must also be regarded as a legal institution. Blood vengeance indeed is the principal, if not the only, recognized way of dealing with serious offences committed against a person even by members of the same band.[1]

The principal actions penalized in this way are adultery, theft, and [684] homicide. In the case of adultery, as we have already seen, the injured husband attempts to kill the adulterer, if he possibly can, while the unfaithful wife is beaten and in some cases divorced. Theft also [685] provokes blood vengeance, when the thief refuses to restore the stolen property.[2] Even if he does, he is reproached for his deed, and

[1] Kaufmann, op. cit., 155; Trenk, op. cit., 169; D. F. Bleek, *Naron*, 35–6.

[2] According to one of the texts published by Bleek and Lloyd (*Bushman Folklore*, 416–25), among the Kung a man who steals in the camp is killed by the others present, who all shoot at him with their arrows. A married woman who steals is also sometimes shot by her own husband. More frequently, however, she is burned alive in a hut; although, if her parents are

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627 related to the homicide were killed by the brother. What happened
682 afterwards we are not told, but judging from what is known of blood revenge among the Bushmen it is hardly likely that the matter was allowed to rest there.

Among the Auen, for example, a son is obliged to exact blood
628 vengeance on the slayer of his father, a brother for his brother. If
682 the slayer himself is dead or out of reach, the feud extends to his nearest male relative. A son whose father has been killed is obliged to undertake vengeance as soon as he is grown up. His mother impresses this obligation upon him during his childhood, and as soon as he has caught his first head of big game the obligation must be carried out. He applies to his nearest relatives for help, which is given without question. In the same way whoever has to fear blood vengeance is supported by his relatives and the members of his band. Not only
[562] men but women also may become the objects of the blood feud, although as a rule the latter are taken and held as wives by their captors. So, too, among the Namib Bushmen the slayer is killed by the relatives of the dead man. All the male members of the latter's family combine to revenge his death; an arrow is shot at the slayer, and if this does not immediately kill him he is beaten to death with the kirri. Murderesses are also killed in this manner; but otherwise
[562] women, even for such serious offences as theft and adultery, are only punished by thrashing, although this may sometimes be very severely administered.

We are not told whether the killing of the slayer or his substitute leads to the cessation of the feud, but from an instance quoted by Kaufmann it apparently does not. An old Auen man from Olifantskloof was visiting a brother-in-law at Sidonitsaub. The host put out a snare, in which he caught a giant bustard. This was found by the guest, who took it out of the snare and began to consume it. While he was doing so, the host came up and observing the theft pierced him through the body with a spear. The slayer then fled, but was pursued by the relatives of the dead man and killed. Since then a blood feud has existed between these two bands, connected though they were by marriage.

The only exception to this general rule of self-help is recorded by
[184] Seydel of the Namib Bushmen.[1] He states, it is true, that in case of
622 minor offences self-help is frequently resorted to, but adds that all
692 serious offences are formally adjudicated. The court consists of one

[1] Seydel, op. cit., 305–6.

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judge, the head of the band, but in cases of murder, bodily injury resulting in death, and treason the latter is assisted by another man. The judges can invite or summon witnesses, and after coming to a decision announce it in the presence of all the members of the band. Murder is punished by death, the sentence being executed by the relatives of the dead man, who kill his slayer with the kirri or by stoning him; treason is also punished by death, and so, in former times, was adultery, although nowadays the adulterer is merely beaten very severely. Theft, the concealment of stolen property, assaults leading to bodily injury, and offences against morality are punished by thrashing. Attempted crimes as well as aiding and abetting receive the same punishment as the accomplished deed, but self-defence is in no way penalized.

How far this description can be accepted as entirely accurate is difficult to say, since Trenk in discussing the legal usages of these Bushmen makes no mention of such a form of procedure. There is no reason, however, to dismiss it as improbable, since the Nama Hottentots, under whose influence the Namib Bushmen have come to a very large extent, have a more elaborate legal system along the same lines, and the Bushman procedure may well have been imitated from this. There is nothing, as far as our present information goes, to suggest the existence of such an organized procedure in any of the other Bushman tribes.

Relations with Other Bands

Each band, as has been shown, has its own particular hunting territory, and in general the members of the band keep within their own bounds. But people of neighbouring bands do occasionally have relations with one another. Intermarriage, for example, is a rule among the North-Western tribes, where also a newly-married man generally remains for some time with his wife's people before returning with her to his own band. Visits are apparently also frequent between families connected by marriage, and in any case, as we have seen, a woman always goes back to her parents' home for her first confinement. Trading visits, again, are often undertaken from one band to another, while under special circumstances we may also find the members of several different bands assembled together for a while. It has already been mentioned, for instance, how an outbreak of rinderpest resulting in the death of many cattle drew together